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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Paper No. 20040301

Application Number: 09/925,269
Filing Date: August 09, 2001
Appellant(s): PETITE, THOMAS D.

Thomas D. Petite
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 05 January 2004.

(1) Real Party in Interest

A statement identifying the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

A statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

(3) Status of Claims

The statement of the status of the claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Invention

The summary of invention contained in the brief is correct.

(6) Issues

The appellant's statement of the issues in the brief is correct.

(7) Grouping of Claims

Appellant's brief includes a statement that claims 1-29 do not stand or fall together and provides reasons as set forth in 37 CFR 1.192(c)(7) and (c)(8).

(8) Claims Appealed

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9) Prior Art of Record

5,907,491	CANADA et al.	5-1999
6,141,347	SHAUGHNESSY et al.	10-2000
6,060,994	CHEN	05-2000
6,288,641	CASIS	09-2001

(10) Grounds of Rejection

A. Group A: Claims 1-7

1. Claims 1-4 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Canada et al. (U.S. Patent No. 5,907,491) (hereinafter Canada) in view of Shaughnessy et al. (U.S. Patent No. 6,141,137) (hereinafter Shaughnessy).

Referring to claim 1, Canada teaches a wireless communication network adapted for use in an automated monitoring system for monitoring and controlling (see Canada, column 8 lines 6-34) a plurality of remote devices via a host computer (see Canada, column 4 lines 31-36), the wireless communication network comprising: a plurality of

wireless transceivers having unique identifiers (see Canada, column 5 lines 13-35), each of the plurality of wireless transceivers configured to receive a sensor data signal from one of the plurality of remote devices and transmit an original data message comprising the corresponding unique identifier and sensor data signal (see Canada, column 4 lines 50-54), and further configured to receive the original data message transmitted by one of the other wireless transceivers and transmit a repeated data message (see Canada, column 4 lines 50-57), the repeated data message (see Canada, column 4 lines 61-67) including the sensor data signal and the corresponding unique identifier (see Canada, column 4 lines 50-57); and a site controller in communication with at least one of the plurality of wireless transceivers, the site controller configured to receive the original data messages and the repeated data messages (see Canada, column 4 lines 50-57), identify the remote device associated with the corresponding sensor data signal (see Canada, column 5 lines 13-35) and provide information related to the sensor data to the host computer (see Canada et a., Figure 8 "PC Network 10"). Canada does not teach a wide area network, or a predefined communication protocol.

Shaughnessy teaches a wide area network (see Shaughnessy, Figure 2) and a predefined communication protocol (see Shaughnessy, column 3 lines 41-48).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Canada to include the teachings of Shaughnessy because connecting the system to a WAN and transmitting using a predefined protocol

would have allowed the skilled artisan to distribute processing which will increase scalability (see Shaughnessy, column 2 lines 45-49).

Referring to claim 2, Canada discloses a plurality of repeaters having unique identifiers (see Canada, column 8 lines 36-38), each of the plurality of repeaters in communication with at least one of the plurality of wireless transceivers and configured to receive the original data message transmitted by the at least one of the plurality of wireless transceivers and transmit a repeated data message (see Canada, column 4 lines 61-67), the repeated data message including the sensor data signal from the original data message and the unique identifier corresponding to the repeater (see Canada, column 8 lines 36-38), but does not teach a predefined communication protocol.

Shaughnessy teaches a predefined communication protocol (see Shaughnessy, column 3 lines 41-48).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Canada, to include the teachings of Shaughnessy because using a predefined protocol would have allowed the skilled artisan to distribute processing which will increase scalability (see Shaughnessy, column 2 lines 45-49).

Referring to claim 3, Canada further teaches a site controller further configured to provide a command message to one of the plurality of wireless transceivers and each of the plurality of wireless transceivers are further configured to transmit, in response to

the command message, the original data message, wherein the original data message corresponds to the command message (see Canada, column 4 lines 50-54).

Referring to claim 4, Shaughnessy further teaches the predefined communication protocol comprises a data packet (see Shaughnessy, column 3 lines 49-58) comprising: a receiver address identifying the receiver of the data packet (see Shaughnessy, column 5 lines 14-32); a sender address identifying the sender of the data packet (see Shaughnessy, column 6 lines 34-45); and a command indicator specifying a predefined command code (see Shaughnessy, column 6 lines 45-48).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Canada, to include the teachings of Shaughnessy because using a predefined communication protocol with a data packet would have allowed the skilled artisan to provide multiple communications within the network (see Shaughnessy, column 3 lines 50-53).

Referring to claim 7, Canada further teaches the data packet comprises, a packet length indicator which indicates a total number of bytes in the current packet (see Canada, column 5 lines 50-59), but does not teach a total packet indicator which indicates the total number of packets in the current message; and a current packet indicator which identifies the current packet; and a message number identifying the current message.

Shaughnessy discloses a total packet indicator which indicates the total number of packets in the current message (see Shaughnessy, column 4 lines 8-17); and a

current packet indicator which identifies the current packet (see Shaughnessy, column 5 lines 49-51); and a message number identifying the current message (see Shaughnessy, column 5 lines 54-59).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Canada, to include the teachings of Shaughnessy because using a data packet would have allowed the skilled artisan to provide multiple communications within the network (see Shaughnessy, column 3 lines 50-53).

2. Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Canada et al. (U.S. Patent No. 5,907,491) (hereinafter Canada) in view of Shaughnessy et al. (U.S. Patent No. 6,141,137) (hereinafter Shaughnessy) and further in view of Casais (U.S. Patent No. 6,288,641).

Referring to claim 5, Canada and Shaughnessy teach al. the features of the claimed invention except for a plurality of wireless transceivers further configured to receive signals via Bluetooth technology.

Casais teaches a plurality of wireless transceivers further configured to receive signals via Bluetooth technology (see Casais, column 5 lines 36-50).

It would have been obvious at the time the invention was made to one of ordinary skill in the art to modify Canada and Shaughnessy to include the teachings of Casais because remote monitoring with Bluetooth technologies would have allowed the skilled artisan to increase flexibility of positioning and repositioning.

Referring to claim 6, Canada and Shaughnessy teach al. the features of the claimed invention except for a plurality of wireless transceivers further configured to receive signals via IEEE standard 802.11(b).

Casais teaches a plurality of wireless transceivers further configured to receive signals via IEEE standard 802.11(b) (see Casais, column 5 lines 36-50).

It would have been obvious at the time the invention was made to one of ordinary skill in the art to modify Canada and Shaughnessy to include the teachings of Casais because remote monitoring using IEEE standard 802.11(b) would have allowed the skilled artisan to increase flexibility of positioning and repositioning.

B. Group B: Claims 8-12

3. Claims 8-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Canada et al. (U.S. Patent No. 5,907,491) (hereinafter Canada) in view of Shaughnessy et al. (U.S. Patent No. 6,141,137) (hereinafter Shaughnessy).

Referring to claim 8, Canada discloses a wireless communication network adapted for use in an automated monitoring system for monitoring and controlling (see Canada, column 8 lines 6-15) a plurality of remote devices via a host computer (see Canada, column 4 lines 31-36), the wireless communication network comprising: a plurality of wireless transceivers having unique identifiers (see Canada, column 5 lines 13-35), each of the plurality of wireless communication means configured to receive a sensor data signal from one of the plurality of remote devices and transmit an original data message comprising the corresponding unique identifier and sensor data signal

(see Canada, column 4 lines 50-54), and further configured to receive the original data message transmitted by one of the other wireless transceivers and transmit a repeated data message (see Canada, column 4 lines 50-57), the repeated data message including the sensor data signal (see Canada, column 4 lines 61-67) and the corresponding unique identifier (see Canada, column 4 lines 50-57); a means for receiving each of the original data messages and the repeated data messages (see Canada, column 4 lines 50-57); a means for identifying, for each received message, the remote device associated with the corresponding sensor data signal (see Canada, column 5 lines 13-35); and a means for providing information related to the sensor data signal to the host computer (see Canada, column 4 lines 50-54). Canada does not teach a wide area network, or a predefined communication protocol.

Shaughnessy teaches a wide area network (see Shaughnessy, Figure 2) and a predefined communication protocol (see Shaughnessy, column 3 lines 41-48).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Canada to include the teachings of Shaughnessy because connecting the system to a WAN and transmitting using a predefined protocol would have allowed the skilled artisan to distribute processing which will increase scalability (see Shaughnessy, column 2 lines 45-49).

Referring to claim 9, Canada teaches a plurality of repeating means having unique identifiers (see Canada, column 8 lines 36-38), each of the plurality of repeating means in communication with at least one of the plurality of wireless communication

means and comprising a means for receiving the original data message transmitted by the at least one of the plurality of wireless transceivers and a means for transmitting a repeated data message (see Canada, column 4 lines 61-67), the repeated data message including the sensor data signal from the original data message and the unique identifier corresponding to the repeater (see Canada, column 8 lines 36-38). Canada does not teach a predefined communication protocol.

Shaughnessy teaches a predefined communication protocol (see Shaughnessy, column 3 lines 41-48).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Canada, to include the teachings of Shaughnessy because using a predefined protocol would have allowed the skilled artisan to distribute processing which will increase scalability (see Shaughnessy, column 2 lines 45-49).

Referring to claim 10, Canada teaches a means for providing a command message to one of the plurality of wireless communication means, wherein each of the wireless communication means further comprise a means for transmitting, in response to the command message, the original data message, wherein the original data message corresponds to the command message (see Canada, column 4 lines 50-54).

Referring to claim 11, Shaughnessy further teaches the predefined communication protocol comprises a data packet (see Shaughnessy, column 3 lines 49-58) comprising: a means for identifying the receiver of the data packet (see

Shaughnessy, column 5 lines 14-32); a means for identifying the sender of the data packet (see Shaughnessy, column 6 lines 34-45); and a command means for specifying a predefined command code (see Shaughnessy, column 6 lines 45-48).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Canada, to include the teachings of Shaughnessy because using a predefined communication protocol with a data packet would have allowed the skilled artisan to provide multiple communications within the network (see Shaughnessy, column 3 lines 50-53).

Referring to claim 12, Canada further teaches a data packet further comprising: a means for indicating a total number of bytes in the current packet (see Canada, column 5 lines 50-59), but does not teach a total packet indicator which indicates the total number of packets in the current message; and a current packet indicator which identifies the current packet; and a message number identifying the current message.

Shaughnessy discloses a total packet indicator which indicates the total number of packets in the current message (see Shaughnessy, column 4 lines 8-17); and a current packet indicator which identifies the current packet (see Shaughnessy, column 5 lines 49-51); and a message number identifying the current message (see Shaughnessy, column 5 lines 54-59).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Canada, to include the teachings of Shaughnessy because using a data packet would have allowed the skilled artisan to provide multiple communications within the network (see Shaughnessy, column 3 lines 50-53).

C. Group C: Claims 13-19

4. Claims 13-16 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Canada et al. (U.S. Patent No. 5,907,491) (hereinafter Canada) in view of Shaughnessy et al. (U.S. Patent No. 6,141,137) (hereinafter Shaughnessy).

Referring to claim 13, Canada discloses a wireless communication network for monitoring and controlling a plurality of remote devices via a host computer (see Canada, column 4 lines 31-36), the wireless communication network comprising: a plurality of wireless transceivers having unique identifiers (see Canada, column 5 lines 13-35), each of the plurality of wireless transceivers configured to receive a sensor data signal from one of the plurality of remote devices and transmit an original data message comprising the corresponding unique identifier and sensor data signal (see Canada, column 4 lines 50-54), and further configured to receive the original data message transmitted by one of the other wireless transceivers and transmit a repeated data message (see Canada, column 4 lines 50-57, the repeated data message (see Canada, column 4 lines 61-67) including the sensor data signal and the corresponding unique identifier (see Canada, column 4 lines 50-57); and a site controller in communication with at least one of the plurality of wireless transceivers (see Canada, column 4 lines 50-57), wherein at least one of the plurality of wireless transceivers is further configured to provide the original data messages and the repeated data messages to a site controller (see Canada, column 4 lines 50-57). Canada does not teach a wide area network, or a predefined communication protocol.

Shaughnessy teaches a wide area network (see Shaughnessy, Figure 2) and a predefined communication protocol (see Shaughnessy, column 3 lines 41-48).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Canada to include the teachings of Shaughnessy because connecting the system to a WAN and transmitting using a predefined protocol would have allowed the skilled artisan to distribute processing which will increase scalability (see Shaughnessy, column 2 lines 45-49).

Referring to claim 14, Canada discloses a plurality of repeaters having unique identifiers (see Canada, column 8 lines 36-38), each of the plurality of repeaters in communication with at least one of the plurality of wireless transceivers and configured to receive the original data message transmitted by the at least one of the plurality of wireless transceivers and transmit a repeated data message (see Canada, column 4 lines 61-67), the repeated data message including the sensor data signal from the original data message and the unique identifier corresponding to the repeater (see Canada, column 8 lines 36-38), but does not teach a predefined communication protocol.

Shaughnessy teaches a predefined communication protocol (see Shaughnessy, column 3 lines 41-48).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Canada, to include the teachings of Shaughnessy

because using a predefined protocol would have allowed the skilled artisan to distribute processing which will increase scalability (see Shaughnessy, column 2 lines 45-49).

Referring to claim 15, Canada teaches at least one of the plurality of wireless transceivers is further configured to receive a command message for one of the plurality of wireless transceivers (see Canada, column 4 lines 50-54).

Referring to claim 16, Shaughnessy further teaches the predefined communication protocol comprises a data packet (see Shaughnessy, column 3 lines 49-58) comprising: a receiver address identifying the receiver of the data packet (see Shaughnessy, column 5 lines 14-32); a sender address identifying the sender of the data packet (see Shaughnessy, column 6 lines 34-45); and a command indicator specifying a predefined command code (see Shaughnessy, column 6 lines 45-48).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Canada, to include the teachings of Shaughnessy because using a predefined communication protocol with a data packet would have allowed the skilled artisan to provide multiple communications within the network (see Shaughnessy, column 3 lines 50-53).

Referring to claim 19, Canada further teaches the data packet comprises, a packet length indicator which indicates a total number of bytes in the current packet (see Canada, column 5 lines 50-59), but does not teach a total packet indicator which indicates the total number of packets in the current message; and a current packet

indicator which identifies the current packet; and a message number identifying the current message.

Shaughnessy discloses a total packet indicator which indicates the total number of packets in the current message (see Shaughnessy, column 4 lines 8-17); and a current packet indicator which identifies the current packet (see Shaughnessy, column 5 lines 49-51); and a message number identifying the current message (see Shaughnessy, column 5 lines 54-59).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Canada, to include the teachings of Shaughnessy because using a data packet would have allowed the skilled artisan to provide multiple communications within the network (see Shaughnessy, column 3 lines 50-53).

5. Claims 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Canada et al. (U.S. Patent No. 5,907,491) (hereinafter Canada) in view of Shaughnessy et al. (U.S. Patent No. 6,141,137) (hereinafter Shaughnessy) and further in view of Casais (U.S. Patent No. 6,288,641).

Referring to claim 17, Canada and Shaughnessy teach al. the features of the claimed invention except for a plurality of wireless transceivers further configured to receive signals via Bluetooth technology.

Casais teaches a plurality of wireless transceivers further configured to receive signals via Bluetooth technology (see Casais, column 5 lines 36-50).

It would have been obvious at the time the invention was made to one of ordinary skill in the art to modify Canada and Shaughnessy to include the teachings of Casais because remote monitoring with Bluetooth technologies would have allowed the skilled artisan to increase flexibility of positioning and repositioning.

Referring to claim 18, Canada and Shaughnessy teach al. the features of the claimed invention except for a plurality of wireless transceivers further configured to receive signals via IEEE standard 802.11(b).

Casais teaches a plurality of wireless transceivers further configured to receive signals via IEEE standard 802.11(b) (see Casais, column 5 lines 36-50).

It would have been obvious at the time the invention was made to one of ordinary skill in the art to modify Canada and Shaughnessy to include the teachings of Casais because remote monitoring using IEEE standard 802.11(b) would have allowed the skilled artisan to increase flexibility of positioning and repositioning.

D. Group D: Claims 20-26

6. Claims 20-23 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Canada et al. (U.S. Patent No. 5,907,491) (hereinafter Canada) in view of Shaughnessy et al. (U.S. Patent No. 6,141,137) (hereinafter Shaughnessy).

Referring to claim 20, Canada discloses a wireless communication network for monitoring and controlling a plurality of remote devices via a host computer (see Canada, column 4 lines 31-36), the wireless communication network comprising: a

plurality of wireless transceivers having unique identifiers (see Canada, column 5 lines 13-35), each of the plurality of wireless transceivers configured to receive a sensor data signal from one of the plurality of remote devices and transmit an original data message comprising the corresponding unique identifier and sensor data signal (see Canada, column 4 lines 50-54), and further configured to receive the original data message transmitted by one of the other wireless transceivers and transmit a repeated data message (see Canada, column 4 lines 50-57), the repeated data message (see Canada, column 4 lines 61-67) including the sensor data signal and the corresponding unique identifier (see Canada, column 4 lines 50-57); and a site controller in communication with at least one of the plurality of wireless transceivers, wherein at least one of the plurality of wireless transceivers is further configured to provide the original data messages and the repeated data messages to a primary wireless communication network associated with an automated monitoring system (see Canada, column 4 lines 41-57). Canada does not teach a wide area network, or a predefined communication protocol.

Shaughnessy teaches a wide area network (see Shaughnessy, Figure 2) and a predefined communication protocol (see Shaughnessy, column 3 lines 41-48).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Canada to include the teachings of Shaughnessy because connecting the system to a WAN and transmitting using a predefined protocol, or using a wireless connection, would have allowed the skilled artisan to distribute processing which will increase scalability (see Shaughnessy, column 2 lines 45-49).

Referring to claim 21, Canada discloses a plurality of repeaters having unique identifiers (see Canada, column 8 lines 36-38), each of the plurality of repeaters in communication with at least one of the plurality of wireless transceivers and configured to receive the original data message transmitted by the at least one of the plurality of wireless transceivers and transmit a repeated data message (see Canada, column 4 lines 61-67), the repeated data message including the sensor data signal from the original data message and the unique identifier corresponding to the repeater (see Canada, column 8 lines 36-38), but does not teach a predefined communication protocol.

Shaughnessy teaches a predefined communication protocol (see Shaughnessy, column 3 lines 41-48).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Canada, to include the teachings of Shaughnessy because using a predefined protocol would have allowed the skilled artisan to distribute processing which will increase scalability (see Shaughnessy, column 2 lines 45-49).

Referring to claim 22, Canada teaches at least one of the plurality of wireless transceivers is further configured to receive a command message for one of the plurality of wireless transceivers from the primary wireless communication network and transmit the command message to the one of the plurality of wireless transceivers (see Canada, column 4 lines 50-54).

Referring to claim 23, Shaughnessy further teaches the predefined communication protocol comprises a data packet (see Shaughnessy, column 3 lines 49-58) comprising: a receiver address identifying the receiver of the data packet (see Shaughnessy, column 5 lines 14-32); a sender address identifying the sender of the data packet (see Shaughnessy, column 6 lines 34-45); and a command indicator specifying a predefined command code (see Shaughnessy, column 6 lines 45-48).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Canada, to include the teachings of Shaughnessy because using a predefined communication protocol with a data packet would have allowed the skilled artisan to provide multiple communications within the network (see Shaughnessy, column 3 lines 50-53).

Referring to claim 26, Canada further teaches the data packet comprises, a packet length indicator which indicates a total number of bytes in the current packet (see Canada, column 5 lines 50-59), but does not teach a total packet indicator which indicates the total number of packets in the current message; and a current packet indicator which identifies the current packet; and a message number identifying the current message.

Shaughnessy discloses a total packet indicator which indicates the total number of packets in the current message (see Shaughnessy, column 4 lines 8-17); and a current packet indicator which identifies the current packet (see Shaughnessy, column 5

lines 49-51); and a message number identifying the current message (see Shaughnessy, column 5 lines 54-59).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Canada, to include the teachings of Shaughnessy because using a data packet would have allowed the skilled artisan to provide multiple communications within the network (see Shaughnessy, column 3 lines 50-53).

7. Claims 24 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Canada et al. (U.S. Patent No. 5,907,491) (hereinafter Canada) in view of Shaughnessy et al. (U.S. Patent No. 6,141,137) (hereinafter Shaughnessy) and further in view of Casais (U.S. Patent No. 6,288,641).

Referring to claim 24, Canada and Shaughnessy teach al. the features of the claimed invention except for a plurality of wireless transceivers further configured to receive signals via Bluetooth technology.

Casais teaches a plurality of wireless transceivers further configured to receive signals via Bluetooth technology (see Casais, column 5 lines 36-50).

It would have been obvious at the time the invention was made to one of ordinary skill in the art to modify Canada and Shaughnessy to include the teachings of Casais because remote monitoring with Bluetooth technologies would have allowed the skilled artisan to increase flexibility of positioning and repositioning.

Referring to claim 25, Canada and Shaughnessy teach all the features of the claimed invention except for a plurality of wireless transceivers further configured to receive signals via IEEE standard 802.11(b).

Casais teaches a plurality of wireless transceivers further configured to receive signals via IEEE standard 802.11(b) (see Casais, column 5 lines 36-50).

It would have been obvious at the time the invention was made to one of ordinary skill in the art to modify Canada and Shaughnessy to include the teachings of Casais because remote monitoring using IEEE standard 802.11(b) would have allowed the skilled artisan to increase flexibility of positioning and repositioning.

E. Group E: Claims 27-29

8. Claims 27 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Canada et al. (U.S. Patent No. 5,907,491) (hereinafter Canada) in view of Shaughnessy et al. (U.S. Patent No. 6,141,137) (hereinafter Shaughnessy).

Referring to claim 27, Canada teaches a method for enabling customers to monitor remote devices, the method comprising the steps of: establishing a wireless communication network that enables a user to monitor at least one remote device (see Canada, column 4 lines 31-36), the wireless communication network comprising: a plurality of wireless transceivers each integrated with one of the plurality of remote devices and having a unique identifier (see Canada, column 5 lines 13-35) and configured to receive a sensor data signal from the remote device and transmit an original data message (see Canada, column 4 lines 50-54), the original data message

comprising the corresponding unique identifier for the originating wireless transceiver (see Canada, column 5 lines 13-35), each wireless transceiver further configured to receive the original data message transmitted by one of the other wireless transceivers and transmit a repeated data messaging (see Canada, column 4 lines 50-57), the repeated data message including the originating wireless transceiver and the repeating wireless transceiver (see Canada, column 4 lines 41-57), and a site controller in communication with at least one of the plurality of wireless transceivers, the site controller configured to receive the original data messages and the repeated data messages (see Canada, column 4 lines 50-57), identify the remote device associated with the corresponding sensor data signal (see Canada, column 5 lines 13-35), and provide information related to the sensor data signal to a host computer (see Canada, Figure 8 "PC Network 10"). Canada does not teach a wide area network, a predefined communication protocol, and multiple customer or organization system access.

Shaughnessy teaches a wide area network (see Shaughnessy, Figure 2), a predefined communication protocol (see Shaughnessy, column 3 lines 41-48), and multiple customer or organization system access (see Shaughnessy, column 3 lines 49-53).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Canada to include the teachings of Shaughnessy because connecting the system to a WAN and transmitting using a predefined protocol, or using a wireless connection, would have allowed the skilled artisan to distribute processing which will increase scalability (see Shaughnessy, column 2 lines 45-49).

Referring to claim 29, Canada further teaches enabling at least one remote device corresponding to a customer of the organization to communicate with the wireless communication network so that the remote device may be monitored (see Canada, column 4 lines 31-36). Canada does not teach a wide area network.

Shaughnessy teaches a wide area network (see Shaughnessy, Figure 2).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Canada to include the teachings of Shaughnessy because connecting the system to a WAN would have allowed the skilled artisan to distribute processing which will increase scalability (see Shaughnessy, column 2 lines 45-49).

9. Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Canada et al. (U.S. Patent No. 5,907,491) (hereinafter Canada) in view of Shaughnessy et al. (U.S. Patent No. 6,141,347) (hereinafter Shaughnessy) and further in view of Chen (U.S. Patent No. 6,060,994).

Referring to claim 28, Canada and Shaughnessy teach all the features of the claimed invention except for receiving compensation for providing the organization access to the wireless communication network.

Chen teaches receiving compensation in the form of payment for providing access to the wireless communication network (see Chen, column 6 lines 54-63).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Canada and Shaughnessy to include the teachings of Chen because requiring compensation would have allowed the skilled artisan to prevent pirating and illegal use of the monitoring services provided.

(11) Response to Arguments

A. Group A: Claims 1-7

Appellant argues that Canada teaches away from using a WAN and wireless protocol because Canada teaches a local system so that data is transmitted over a local area network, and not a wide area network. However, Canada does not teach away from using a WAN, and in fact suggests connecting the system to a network. Canada does teach wireless connection to the sensors and repeaters over a LAN; however, the local area network can then further be connected to a network for analysis and storage (see Canada, column 8 lines 6-15 and Figure 8). Therefore, Canada suggests a wireless connection to a WAN such as the Internet.

Appellant argues that it would not have been obvious to combine Canada and Shaughnessy, because they are non-analogous art. However, both Canada and Shaughnessy disclose wireless communication monitoring systems, see Canada, column 4 lines 31-36, and Shaughnessy, column 1 lines 9-11. The Examiner therefore asserts that both these references teach wireless communication monitoring systems, which is "in the field of the applicant's endeavor."

Appellant further argues that Canada does not teach "controlling a plurality of remote devices via a host computer." Canada, however, does teach this limitation (see Canada, column 8 lines 6-15, column 10 lines 10-30 and lines 41-50). Canada teaches a command station which allows the user to control the time length, the frequency of status polls and the order of devices (see Canada, column 8 lines 6-15). Canada further teaches that this command station synchronizes the devices to turn on and off at a specified time (see Canada, column 8 lines 18-34). Therefore the limitation of "controlling a plurality of devices via a host computer" is taught by Canada.

Appellant further argues that Canada does not teach a transceiver which is "configured to receive the original data message transmitted by one of the other wireless transceivers and transmit a repeated data message." However this is not the case Canada does teach that each of the plurality of repeaters (see Canada, Figure 1) in communication with at least one of the plurality of wireless transceivers (see Canada, Figure 1), these "wireless transceivers" as claimed can be either another repeater or the command station as shown in Figure 1 of Canada, and configured to receive the original data message transmitted by the at least one of the plurality of wireless transceivers and transmit a repeated data message (see Canada, column 4 lines 61-67). Canada explains that if one of the repeaters is out of the line of sight, or beyond the receiving range of the command station, a repeater located properly may be used to resend, or repeat, a signal (see Canada, column 4 lines 61-67). Therefore the limitation of a transceiver which is "configured to receive the original data message transmitted by one

of the other wireless transceivers and transmit a repeated data message" is taught by Canada.

B. Group B: Claims 8-12

Appellant argues that Canada teaches away from using a WAN and wireless protocol because Canada teaches a local system so that data is transmitted over a local area network, and not a wide area network. However, Canada does not teach away from using a WAN, and in fact suggests connecting the system to a network. Canada does teach wireless connection to the sensors and repeaters over a LAN; however, the local area network can then further be connected to a network for analysis and storage (see Canada, column 8 lines 6-15 and Figure 8). Therefore, Canada suggests a wireless connection to a WAN such as the Internet.

Appellant argues that it would not have been obvious to combine Canada and Shaughnessy, because they are non-analogous art. However, both Canada and Shaughnessy disclose wireless communication monitoring systems, see Canada, column 4 lines 31-36, and Shaughnessy, column 1 lines 9-11. The Examiner therefore asserts that both these references teach wireless communication monitoring systems, which is "in the field of the applicant's endeavor."

Appellant further argues that Canada does not teach "controlling a plurality of remote devices via a host computer." Canada, however, does teach this limitation (see Canada, column 8 lines 6-15, column 10 lines 10-30 and lines 41-50). Canada teaches a command station which allows the user to control the time length, the frequency of

status polls and the order of devices (see Canada, column 8 lines 6-15). Canada further teaches that this command station synchronizes the devices to turn on and off at a specified time (see Canada, column 8 lines 18-34). Therefore the limitation of "controlling a plurality of devices via a host computer" is taught by Canada.

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C. Group C: Claims 13-19

Appellant argues that Canada teaches away from using a WAN and wireless protocol because Canada teaches a local system so that data is transmitted over a local area network, and not a wide area network. However, Canada does not teach away from using a WAN, and in fact suggests connecting the system to a network. Canada does teach wireless connection to the sensors and repeaters over a LAN; however, the local area network can then further be connected to a network for analysis and storage (see Canada, column 8 lines 6-15 and Figure 8). Therefore, Canada suggests a wireless connection to a WAN such as the Internet.

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Appellant further argues that Canada does not teach "controlling a plurality of remote devices via a host computer." Canada, however, does teach this limitation (see Canada, column 8 lines 6-15, column 10 lines 10-30 and lines 41-50). Canada teaches a command station which allows the user to control the time length, the frequency of status polls and the order of devices (see Canada, column 8 lines 6-15). Canada further teaches that this command station synchronizes the devices to turn on and off at

a specified time (see Canada, column 8 lines 18-34). Therefore the limitation of "controlling a plurality of devices via a host computer" is taught by Canada.

Appellant further argues that Canada does not teach a transceiver which is "configured to receive the original data message transmitted by one of the other wireless transceivers and transmit a repeated data message." However this is not the case Canada does teach that each of the plurality of repeaters (see Canada, Figure 1) in communication with at least one of the plurality of wireless transceivers (see Canada, Figure 1), these "wireless transceivers" as claimed can be either another repeater or the command station as shown in Figure 1 of Canada, and configured to receive the original data message transmitted by the at least one of the plurality of wireless transceivers and transmit a repeated data message (see Canada, column 4 lines 61-67). Canada explains that if one of the repeaters is out of the line of sight, or beyond the receiving range of the command station, a repeater located properly may be used to resend, or repeat, a signal (see Canada, column 4 lines 61-67). Therefore the limitation of a transceiver which is "configured to receive the original data message transmitted by one of the other wireless transceivers and transmit a repeated data message" is taught by Canada.

D. Group D: Claims 20-26

Appellant argues that Canada teaches away from using a WAN and wireless protocol because Canada teaches a local system so that data is transmitted over a local area network, and not a wide area network. However, Canada does not teach away

from using a WAN, and in fact suggests connecting the system to a network. Canada does teach wireless connection to the sensors and repeaters over a LAN; however, the local area network can then further be connected to a network for analysis and storage (see Canada, column 8 lines 6-15 and Figure 8). Therefore, Canada suggests a wireless connection to a WAN such as the Internet.

Appellant argues that it would not have been obvious to combine Canada and Shaughnessy, because they are non-analogous art. However, both Canada and Shaughnessy disclose wireless communication monitoring systems, see Canada, column 4 lines 31-36, and Shaughnessy, column 1 lines 9-11. The Examiner therefore asserts that both these references teach wireless communication monitoring systems, which is "in the field of the applicant's endeavor."

Appellant further argues that Canada does not teach "controlling a plurality of remote devices via a host computer." Canada, however, does teach this limitation (see Canada, column 8 lines 6-15, column 10 lines 10-30 and lines 41-50). Canada teaches a command station which allows the user to control the time length, the frequency of status polls and the order of devices (see Canada, column 8 lines 6-15). Canada further teaches that this command station synchronizes the devices to turn on and off at a specified time (see Canada, column 8 lines 18-34). Therefore the limitation of "controlling a plurality of devices via a host computer" is taught by Canada.

Appellant further argues that Canada does not teach a transceiver which is "configured to receive the original data message transmitted by one of the other wireless transceivers and transmit a repeated data message." However this is not the

case Canada does teach that each of the plurality of repeaters (see Canada, Figure 1) in communication with at least one of the plurality of wireless transceivers (see Canada, Figure 1), these "wireless transceivers" as claimed can be either another repeater or the command station as shown in Figure 1 of Canada, and configured to receive the original data message transmitted by the at least one of the plurality of wireless transceivers and transmit a repeated data message (see Canada, column 4 lines 61-67). Canada explains that if one of the repeaters is out of the line of sight, or beyond the receiving range of the command station, a repeater located properly may be used to resend, or repeat, a signal (see Canada, column 4 lines 61-67). Therefore the limitation of a transceiver which is "configured to receive the original data message transmitted by one of the other wireless transceivers and transmit a repeated data message" is taught by Canada.

E. Group E: Claims 27-29

Appellant argues that Canada teaches away from using a WAN and wireless protocol because Canada teaches a local system so that data is transmitted over a local area network, and not a wide area network. However, Canada does not teach away from using a WAN, and in fact suggests connecting the system to a network. Canada does teach wireless connection to the sensors and repeaters over a LAN; however, the local area network can then further be connected to a network for analysis and storage (see Canada, column 8 lines 6-15 and Figure 8). Therefore, Canada suggests a wireless connection to a WAN such as the Internet.

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Appellant further argues that Canada does not teach a transceiver which is "configured to receive the original data message transmitted by one of the other wireless transceivers and transmit a repeated data message." However this is not the case Canada does teach that each of the plurality of repeaters (see Canada, Figure 1) in communication with at least one of the plurality of wireless transceivers (see Canada, Figure 1), these "wireless transceivers" as claimed can be either another repeater or the command station as shown in Figure 1 of Canada, and configured to receive the original data message transmitted by the at least one of the plurality of wireless transceivers

and transmit a repeated data message (see Canada, column 4 lines 61-67). Canada explains that if one of the repeaters is out of the line of sight, or beyond the receiving range of the command station, a repeater located properly may be used to resend, or repeat, a signal (see Canada, column 4 lines 61-67). Therefore the limitation of a transceiver which is "configured to receive the original data message transmitted by one of the other wireless transceivers and transmit a repeated data message" is taught by Canada.

(12) Conclusion

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

MKB
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